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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

VERBATIM RECORD OF THE 1367th MEETING

Held at Headquarters, New York,
on Thursday, 9 August 1990, at 10 a.m.

Chairman: Mr. SLABÝ (Czechoslovakia) (Vice-Chairman)

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The meeting was called to order at 10.40 a.m.

QUESTION OF EAST TIMOR (A/AC.109/1037 and Add.1 and A/AC.109/1045 and Add.1)

The CHAIRMAN: I wish to inform members that I have received a request from the delegation of Cape Verde to be permitted to take part in the proceedings relating to East Timor. In accordance with established practice and if I hear no objection, I shall take it that the Committee accedes to the request.

It was so decided.

At the invitation of the Chairman, the delegation of Cape Verde took a place at the Committee table.

The CHAIRMAN: In accordance with decisions taken at its 1363rd and 1366th meetings, held on 1 and 8 August, the Committee granted requests for hearing, contained in aide-mémoire 18/90 and Add.1.

At the invitation of the Chairman, Mr. Douglas McGregor (Hobart East Timor Committee) took a place at the petitioners' table.

The CHAIRMAN: I now call on Mr. McGregor.

Mr. McGREGOR: I thank the members of this Committe for the opportunity to present again a petition regarding the decolonization of East Timor.

Our Committee would first like to congratulate them on the success of United Nations initiatives for a peaceful transition from colonialism to independence in Namibia. In passing, we note that it has been 40 years since the Reverend Michael Scott addressed the General Assembly in the Fourth Committee on 26 November 1949 regarding the right of self-determination of the people of Namibia. The persistence with which the United Nations worked on the issue of Namibia, despite pressure to remove it from the agenda, has been rewarded with the peaceful transition of power and provides one of the most important reasons for the

(Mr. McGregor)

continued existence of the United Nations and of this Committee. The points made by Michael Scott remain relevant in 1990; in particular, that colonialism, and especially colonialism imposed and maintained by military might, also damages the political, moral and economic fabric of the colonial Power.

We believe that United Nations support and persistence will enable East Timor also to join the ranks of free and independent countries in the near future. We note the parallels between the intransigence of South Africa and that of Indonesia as colonial Powers. Just as South Africa refused to negotiate directly with the Namibian people, so Indonesia refuses to negotiate with the East Timorese. The nations that supported South African colonialism are largely the same nations that support Indonesian colonialism. South Africa's wish to retain Namibia because of its mineral wealth is mirrored by Indonesia's wish to retain East Timor because of the vast supplies of oil believed to be below the Timor Sea. And just as South Africa claimed to be "developing" and "civilizing" the "primitive" country of Namibia, so does Indonesia claim to be "developing" and "civilizing" this "primitive" East Timor.

This claim of "development" is one of the most insidious, as it is used to divert attention away from the fundamental right to self-determination. I saw this Indonesian "development" in East Timor when I was there just two months ago. I saw many roads being built, with much erosion from the poor methods used. What are roads to the Timorese, who do not have vehicles as the Javanese transmigrants do? The roads are mostly an effective means for military transportation and control of the Timorese. I saw several new schools, but what are new schools when they teach nothing in the native language? How much is an education worth when all jobs are given almost exclusively by Javanese administrators to newcomer Javanese and other non-Timorese? This sort of education must be worth less. And of what value are

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the simple hospitals when the military terrorizes the population? These hospitals can provide little comfort for those who have been raped or tortured or had their villages destroyed. I was told by these dispossessed people about military killings and intimidation tactics. For example, an Indonesian commander ordered villagers to cut off their dead countryman's head and then paraded it through the villages for all to see.

I want to say now to you that I cannot prove any of the aforementioned reports; I must leave that to others. But I can assure you that the look in the eyes of a boy who has lost both parents and two brothers who were Catholic priests to this sort of terrorism is proof enough for me.

In my travels I saw Timorese villagers living simply, eking out a hard life and growing food to eat and trade. The rivers run cleanly through these villages. I also saw towns rapidly becoming dominated by the "new", modern Javanese-style commerce: that of processed and packaged food and much throw-away plastic. The rivers in these towns look just like the ones in Java: full of rubbish and covered with scum.

All Indonesian actions in East Timor seem to have a military or propaganda function as their first priority, while respected development organizations all over the world repeatedly emphasize that development in which the people directly affected are not free to express their own wishes does not deserve the name of "development".

The harm of this occupation does not stop at East Timor's borders. Just as South Africa claimed to be "developing" Namibia while massive malnutrition, unemployment and poverty existed among South Africa's black population, it must not be forgotten that while Indonesia claims to be "developing" East Timor, millions of Indonesians continue to live without such fundamental services as clean water,

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(Mr. McGregor)

primary health care or basic education. A new Indonesian organization, Indonesian Front for the Defence of Human Rights, provides these statistics: 80 per cent of Indonesia's people live in poverty; 80 per cent of the work force have little or no schooling; infant mortality is 87 per 1,000 live births; 89.23 per cent of the population has no access to clean water. Another source put the State's unemployment level at more than 66 per cent.

From these figures it can be seen that Indonesia can ill afford its occupation of East Timor. Its 15-year-long war, which has killed two to three hundred thousand Timorese and about 20,000 Indonesian militia, has cost the State in excess of $US 10 billion. The war has been very costly in human and economic terms.

I should like to share with the Committee some of the results of an investigation by a team of social scientists from an Indonesian university. Their findings describing social relationships between Indonesian authorities and the Timorese people were to have been discussed on 19 April of this year at a seminar at Dili. The findings were instead discussed in a private session with several senior army officials in attendance.

The team found a society still in trauma. They described the continuing "war situation" and "war economy" full of control and monopolistic" practices. The team observed that while there had been "striking physical changes" that is, road networks, since their first visit almost a decade earlier, they concluded that physical progress has failed to solve the social, economic and political problems resulting from the process of integration which caused "quite heavy loss of life". The team recommended the abandonment of resettling programmes and that land be redistributed to landless peasants.

(Mr. McGregor)

Resolution 1514 (XV) states that

"All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development".

On 20 March 1985, Indonesian Transmigration Minister Martono stated

"By way of transmigration ... we will try ... to integrate all the ethnic groups into one nation ... The different ethnic groups will in the long run disappear because of integration ...".

It would seem to me that this statement is in direct opposition to General Assembly resolution 1514 (XV), paragraph 2.

(Mr. McGregor)

So, despite 15 years of oppressive military occupation, the people of East Timor continue to seek self-determination with great courage and persistence. Last year, East Timor's spiritual leader, Monsignor Carlos Belo, requested the Secretary-General to conduct a referendum in East Timor, and this request has received widespread support within East Timor, despite Indonesia's efforts at intimidation. The growing number of visitors to East Timor, including myself, since its partial opening last year, means that the oppressive nature of Indonesian colonialism can no longer be hidden. One important consequence is the discreet but growing willingness of people in Indonesia to accept that East Timor is a colonial issue and that the peaceful achievement of decolonization is also in their best interest.

Any examination of East Timor's situation would not be complete without mention of the parallel sufferings of the people of West Papua, who implored me to raise their concerns in this forum and in the world community. The many diverse Papuan cultures similarly face certain extinction if present Indonesian trends continue.

I should like to draw the Committee's attention to an addendum to my report, which contains a statement presented to the Ambassador of the United States on 17 January 1990 at Dili. I trust that the Committee is quite familiar with the events of that day. Several Timorese students were beaten, and reports are that a few died.

In conclusion, we should like to commend the commitment of the Portuguese Government and the Secretary-General, Mr. Perez de Cuellar, to achieving decolonization in East Timor, and especially the work of the Committee in its efforts to achieve a world in which subject nations and peoples are a thing of the past.

Mr. McGregor withdrew.

At the invitation of the Chairman, Ms. Sidney Jones (Asia Watch), took a place at the petitioners' table.

The CHAIRMAN: I now call on Ms. Jones.

Ms. JONES: We at Asia Watch believe that the human rights situation in East Timor remains cause for grave concern and that an examination of the ongoing abuses there is directly relevant to the Committee's deliberations on the status of East Timor. Those abuses consist of summary executions by members of the Indonesian armed forces, which the Indonesian authorities themselves have acknowledged; torture and other forms of physical abuse during interrogation; arbitrary arrests and severe restrictions on the right to freedom of expression and freedom of assembly.

In one well-documented case, eight Indonesian soldiers, apparently from the 86th detachment of KOPASSUS, the Indonesian special forces, detained a man named Candido Amaral, aged 39, in Lalerek Mutin - that is in Viqueque - on 28 March 1990. He was reportedly interrogated by Indonesian soldiers and tortured by a Timorese man named Paulo Miquel. The following day, on 29 March, he was taken out at 5 a.m. and executed. Thirty-one people from Lalerek Mutin then fled to the KODIM, which is the district military headquarters in Viqueque, apparently in fear of further abuses by the soldiers operating in their area. The commander of those men told East Timor Governor Mario Carrascalao that the soldiers responsible for the torture and execution would be punished and the family of Candido Amaral would be given compensation.

If this kind of abuse is to be prevented, it is essential that the case should be thoroughly investigated and all those involved in Amaral's death be prosecuted and punished.

(Ms. Jones)

Candido Amaral was not the only victim in the village of Lalerek Mutin. Several other men, including Antero Carvalho, aged 50, and Sebastiao dos Reis, were reportedly detained and tortured by soldiers of army battalion 408 on suspicion of having had contact with FRETILIN guerrillas or supplying them with food through Candido Amaral. Carvalho was held for two days and is said to have been forced to "confess" to such contacts.

Indonesian security forces, whether police or military, routinely use torture or other forms of pressure to extract admissions of guilt from suspects. It is not a practice confined to remote areas of East Timor. It is equally prevalent in Indonesian cities, such as Jakarta or Medan. But at least in major cities families can complain to the press or to local human rights organizations and very occasionally force the prosecution of the soldiers or police involved. East Timorese have no such recourse, and if the soldiers responsible for the death of Amaral or the torture of Carvalho and dos Reis are in fact convicted, it will be the first time, to Asia Watch's knowledge, that any member of the Indonesian military has been found guilty of a human rights offence in East Timor.

Another case of arbitrary arrest, beatings and forced confession took place following the visit of Pope John Paul II on 12 October 1989. A small nationalist demonstration erupted at the end of the Pope's final mass at Dili. According to two priests of the Don Bosco Secondary School at Fatumaka, some of their students were brought to a police station after the demonstration. They were beaten, one of them severely, and forced to admit that the two priests had instigated the demonstration.

Further arrests, interrogation and beatings took place after a demonstration organized by the pro-Indonesian political party Apodeti against East Timor's outspoken human rights advocate, Bishop Carlos Ximenes Belo, on 4 November 1989.

(Ms. Jones)

Six students detained for questioning after a counter-demonstration broke out were interrogated, not in a police station but rather in buildings apparently owned and run by the military: Wisma Senopati II, a military guest house, and PT Nusra Bakti, a military-owned business. According to the Indonesian Criminal Procedure Code, an interrogator must be a police officer, not a soldier.

Relatively few political detainees are held for lengthy periods or tried. A report published by the International Committee of the Red Cross said that its representatives had visited 54 people detained on security grounds between January and March 1990 at five separate detention centres; 19 of the 54 were visited for the first time.

Among the long-term East Timorese prisoners are six men held in Cipinang Prison at Jakarta, who are serving sentences of 12 to 17 years. Two of them, Albino Lourdes and Roberto Geronimo Miranda, are in need of outside medical treatment, which they have not received. All six, by virtue of being detained so far from their homes, are denied the opportunity of regular family visits. The Indonesian Government has thus far rejected requests from numerous humanitarian organizations that the six should be transferred back to Dili in order to be closer to friends and relatives.

Long-term detention may have become the exception rather than the rule in East Timor now, but more East Timorese are subjected to short-term arbitrary detention than in the past. Preventive detention can take place before an important anniversary or a visit by a prominent official; a small demonstration can lead to widespread arrests afterwards. And although detention is often of relatively short duration, it should be remembered that even a few hours is long enough for serious abuse to occur.

(Ms. Jones)

East Timorese have virtually no freedom to voice their opinion on certain topics, such as self-determination, or to gather in large groups. Criticism of the Indonesian Government or its policies in East Timor is generally off limits, not only to East Timorese but also to Indonesians. On 19 April 1990, a seminar open to the press was to be held at Dili on a report prepared by a team from Gajah Mada University at Yogyakarta. The report, about socio-economic development in East Timor, stressed how the armed forces had reached what the report called "overdose proportions". It warned about the growing level of "civil discontent" and noted that

> "the official political channels which should serve as the mouthpiece of the people are not functioning".

(Ms. Jones)

Lastly, it said that even though the Indonesian Government considered the question of decolonization closed, "East Timorese society does not see it in that light". At the last minute, the press was stopped from attending, the seminar was restricted to senior officials and army officers, and the team which prepared the report was reportedly asked to delete sensitive sections.

Demonstrations in East Timor take place with greater frequency now, but the Indonesian military authorities continue to show their intolerance for freedom of assembly by responding with force. The way in which security forces broke up the peaceful demonstration in front of the Hotel Turismo on 17 January 1990 on the occasion of a visit by United States ambassador to Indonesia John Monjo is one example. As soon as Ambassador Monjo left the hotel, the students were clubbed and beaten by soldiers and police as hotel guests watched.

Asia Watch is also concerned at reports, as yet unconfirmed, of Indonesian security forces compelling civilians to take part in hostilities. One report we received stated that on 29 March 1989 the sub-district commander of Luro had civilian guards called wanra arrest four men - Afonso dos Santos, Paulo dos Santos, Norberto Correia and Joao Pereira - and take them as guides on military operations. Asia Watch is not aware of any law in Indonesia authorizing its armed forces to conscript civilians forcibly in this manner, and we believe that this practice arbitrarily deprives the East Timorese concerned of their civil rights.

A more recent report said that in March 1990 in the village of Lalerek Mutin, in the same operation that led to the death of Candido Amaral, Indonesian soldiers occupied the homes of two women named Teresa Amaral and Cristina Brandao, whose husbands were believed to be with FRETILIN, and subjected the women to harassment and sexual abuse. Asia Watch does not ordinarily cite unconfirmed reports, but in this case at least one part of the report on Lalerek Mutin has been independently

(Ms. Jones)

verified by two other sources. We believe that the Indonesian Government has a responsibility to investigate this report fully, protect the women from further abuse and prosecute the soldiers involved if in fact the allegations prove accurate.

Human rights violations in East Timor are clearly continuing. Asia Watch urges the Committee to keep a close watch on the events there. It would be useful, for example, if the Committee monitored the progress of the prosecution in the case of soldiers accused in the death of Candido Amaral and if it sent an observer to any trial which might take place as a result. Asia Watch also urges the Committee to obtain a copy of the unexpurgated version of the report prepared by the team from Gajah Mada University, so that the authors' findings with regard to social tensions in East Timor today may also inform the Committee's deliberations on the future political status of East Timor.

Ms. Jones withdrew.

At the invitation of the Chairman, Mr. Michel Robert (Mouvement contre le racisme et pour l'amitié entre les peuples) took a place at the petitioners' table.

The CHAIRMAN: I now call on Mr. Robert.

Mr. ROBERT (interpretation from French): I sincerely thank the Committee for having agreed to hear us once again on the question of East Timor. It will soon be 15 years since Indonesia occupied that Territory, whose people still wishes to enjoy the benefits of General Assembly resolutions 1514 (XV) and 1541 (XV).

The Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), which I represent here, could not ignore the suffering of a people which aspires to live in freedom. Our movement grew from an underground Resistance organization - the Mouvement national contre le racisme - founded in France in 1943 with the objective of organizing the rescue of victims of nazism and of counteracting Hitler's propaganda. Today, MRAP is fighting tirelessly against all forms of

(Mr. Robert)

racism, discrimination and torture and to promote the right of peoples to self-determination. It is fighting so that what happened in the past will never happen again.

The situation in East Timor is a cruel reminder of those grim and painful moments of our history. In the 10 years I have been addressing this Committee, I have had the feeling of repeating myself, but unfortunately history is repeating itself in East Timor: arrests, rape, torture and murder are the order of the day in East Timor more than 40 years after the adoption of the Universal Declaration of Human Rights.

In East Timor massacres of civilians continue. Reliable sources have reported to us that more than 100 Timorese townspeople of Lour, including women and children, were slaughtered by small groups shortly after Easter 1990. It is reported that the massacres committed by the 712th Battalion, stationed at Bobonaro, were perpetrated as reprisals for the death of three Indonesian soldiers who had been stabbed to death on 13 April 1990. Photographs of another massacre, at Hauba, purchased from Indonesian soldiers by Timorese who then smuggled them out, recently reached Lisbon. There are 19 photographs showing village huts, a woman who was interrogated by soldiers and then reportedly murdered, the alleged site of the massacre, with blood-stained stones, the corpses of a number of men on the ground half-naked, several mutilated and dismembered corpses near a ditch and an Indonesian soldier guarding the area. According to our information, the massacre took the lives of 52 Timorese. We do not intend to give a complete list of all the missing, but we should mention the deaths under suspicious circumstances that took place following student demonstrations in January 1990.

(Mr. Robert)

This long list of murders fits into the logic of the Indonesian Government's policy in Timor. Members will no doubt recall that on 17 August 1983 General Benny Murdani, Commander-in-Chief of the Indonesian armed forces and now Minister of Defence, told the Jakarta daily Sinar Harampan that

> "It is time to stop playing games. From now on we shall show no mercy. ... This time the armed forces will use every means at their disposal to mop up the remaining members of FRETILIN."

General Murdani would, in fact, "go all-out". What is the situation seven years later and 15 years after the invasion? The resistance exists and is asserting itself, and General Murdani is angry. On 3 February 1990 the Minister of Defence of Indonesia declared to civilian and military authorities at Dili, the capital, that

> "In the past, some small States tried to make their own way, and the Indonesian Government unhesitatingly took measures to stop them. We have used all our forces to prevent the creation of small States, and this applies to East Timor. ... As I have already said, if you try to organize your own State and if your movement is strong enough, it will be crushed by the Indonesian armed forces. There have been larger rebellions in the past. ... We will crush them all. I repeat: We will crush them all."

In the words of its own Minister of Defence, Jakarta thus acknowledges that its objective is to fight against the right of a people to self-determination, a right recognized by United Nations bodies and supported by Indonesia in the past.

(Mr. Robert)

Here again, there is logic to the attitude of the Indonesian Government. Indonesia in fact affirms that the process of decolonization of East Timor was completed on 17 July 1976, when the population of the Territory decided through a sham "People's Representative Assembly" to achieve independence by joining Indonesia. And the Indonesian representative to the United Nations added:

"The people of East Timor thus exercised its right to self-determination under the provisions of General Assembly resolutions 1514 (XV) and 1541 (XV)."

I do not wish to repeat all of the reasoning I put forward before the Committee a few years ago. I shall simply point out that while it is true that independence or association with another State are not the only ways for a Territory to cease to be non-self-governing, and while integration with an independent State is one of the solutions proposed by resolution 1541 (XV), integration must none the less result from the freely expressed will of the populations of the Territory.

In this case, military intervention has made the process of integration completely illegal from the standpoint of international law. Another reason why the annexation is illegal is that the so-called People's Assembly which advocated annexation was not elected through normal means but was set up by the Indonesian Government. East Timor is therefore, now as in the past, a veritable colony of Indonesia. Cultural oppression, violations of human rights and discrimination of all types are the fruit of Indonesian integration.

What can we propose? We shall soon be celebrating the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples. I have carefully read the summary of the Committee's debates at the beginning of this session on the forgotten peoples of decolonizaton. I fully share those concerns, and I also share the Committee's hope that the Declaration on the

(Mr. Robert)

Granting of Independence to Colonial Countries and Peoples will be fully implemented.

Next year in August it will be the Committee's turn to celebrate its own thirtieth anniversary. It was in fact on 27 November 1961 that the General Assembly decided to establish a Special Committee entrusted with ensuring implementation of the Declaration. Resolution 1654 (XVI), which established the Committee, entrusted it with accomplishing its task

> "by employment of all means which it will have at its disposal within the framework of the procedures and modalities which it shall adopt for the proper discharge of its functions". (General Assembly resolution 1654 (XVI), para. 5)

In other words, the Committee was given full freedom to determine its own procedures and its own means of action. It is interesting to note that Indonesia made its own contribution to the search for the best ways and means to implement the Declaration. At the eighteenth session of the General Assembly in 1963, Indonesia even insisted that the Committee should be prepared to visit a Territory upon the request of the population in order to help it to exercise freely its right to self-determination.

It is in that spirit, that of the Charter of the United Nations and the Declaration, that we endorse the request made by Monsignor Belo, the apostolic administrator of Dili, to the Secretary-General of the United Nations, Mr. Javier Perez de Cuellar, to organize a referendum in order to set in motion in Timor the most normal and democratic process of decolonization possible, because, in Monsignor Belo's words:

> "The process of decolonization of Portuguese Timor has not yet been completed by the United Nations and that should not be forgotten."

(Mr. Robert)

I also wish to repeat another proposal which I made four years ago to the Committee. Given the circumstances, an advisory opinion of the International Court of Justice on the question of East Timor might make it possible to relieve the impasse. It is true that the Court has played only a rather modest role as the principal legal body in the field of decolonization. Nevertheless, through its advisory opinions, it has provided interesting clarifications.

Mr. Robert withdrew.

At the invitation of the Chairman, Ms. Paulette Géraud (Association de Solidarité avec Timor Oriental) took a place at the petitioners' table.

The CHAIRMAN: I call on Ms. Géraud.

Ms. GÉRAUD (interpretation from French): On behalf of the Association de Solidarité avec Timor Oriental, I should like to thank you, Sir, for allowing me to voice our concerns over the destiny of that small Territory.

It is a small Territory but a great people, a people that stands firm, ready to sacrifice itself for its freedom. During the visit to Dili of Mr. M. J. Monjo, the United States Ambassador in Jakarta, even the young people who had grown up under Indonesian domination shouted "Peace and Justice," "Independence or Death" and "No and Never to Integration".

Fifteen years of Indonesian occupation have not drained the Maubere people's capacity for resistance or its reserves of energy, despite death, torture, oppression and the denial of its fundamental rights. They have not quenched its thirst for independence, peace and freedom.

Fifteen years of resistance clearly demonstrate that the people of East Timor rejects the annexation unilaterally decreed by Indonesia in 1976 and demands its right to self-determination.

(Ms. Géraud)

Who could deny it that right today, apart from Indonesia and General Murdani, who, in a speech on 3 February 1990, stated:

"There are no Timorese patriots, there are only Indonesian patriots. There is no nation of East Timor, there is only an Indonesian nation ... If you try to create your own State and if the movement is strong enough, it will be crushed by ABRI (the armed forces). There have been larger rebellions in the past ... than the small number of those who call themselves FRETILIN or their supporters, whoever they may be. We will crush them all. I repeat: we will crush them all."

That is indeed what the Indonesians are trying to do, both on a daily basis and on extraordinary occasions, to crush not only FRETILIN and its supporters but also the civilian population, men, women and children. Some have been able to flee and bear witness before the international community and at international forums. The testimony gathered in the pamphlet Je suis Timorais, published in French in 1990, is horrendous. But is that testimony always sufficiently heard?

Before the Sub-Commission of the Commission on Human Rights at Geneva in August 1988, Anselmo Aparicio stated:

"I am Timorese. I left East Timor this year. I had to leave my country and my family. I felt that I could no longer bear to live there. Our people is being decimated while the world remains silent ..."

Anselmo Aparicio was 12 years old at the time of the Indonesian invasion in 1975.

We know that the Secretary-General of the United Nations, Mr. Javier Perez de Cuellar, the Committee on Decolonization, the Commission on Human Rights and numerous forums of the United Nations are devoting all their efforts to the search for a just and equitable solution.

(Ms. Géraud)

The European Parliament, for its part, has issued several resolutions, in particular the one dated 23 November 1989, calling for an opportunity for the people of East Timor to exercise its right to self-determination and independence in accordance with the norms of international law and calling upon the Indonesians not to exploit the controversial visit of Pope John Paul II in order to promote the idea of the integration of East Timor into Indonesia. It severely condemns the repression that took place both before and after the Pope's visit and calls for the unconditional release of the persons arrested, a halt to executions, free access and freedom of movement for journalists and the re-establishment of communications with the outside world. The European Parliament once again condemns the genocide perpetrated by Indonesia in East Timor. It appeals to the Council, member States, the Ministers of Foreign Trade and the Commission as a whole to implement the Parliament's resolutions concerning East Timor.

Together with all of the humanitarian organizations, with the non-governmental organizations that champion human rights and with democratic associations, the Association de Solidarité avec Timor Oriental supports the legitimate claim of the Timorese people to peace, freedom, and the right of self-determination.

(Ms. Géraud)

Monsignor Ximenes Belo, Bishop of East Timor, wrote to the Secretary-General of the United Nations, Mr. Perez de Cuellar, on 6 February 1989, requesting that the people of Timor be allowed to take a stand on their future through a referendum under the auspices of the United Nations. Monsignor Belo, a witness to the suffering of his people, argued for recognition of the right of the people of East Timor freely to choose their own future, in accordance with the letter and spirit of the United Nations Charter.

But the situation today has not yet developed along the lines of respect for human rights and fundamental freedoms or for peace. The idea of a referendum is still merely a pious wish. But more and more organizations, including church organizations, and more and more parliamentarians are taking up and demanding this on behalf of the Timorese people.

Repression continues to strike the people of Timor, regardless of the circumstances.

The very controversial visit of Pope John Paul II to Timor in October 1989 enabled the international press to remind everyone of the fate which Indonesia has imposed on the Timorese people by recalling the historical background of this small Territory, the Indonesian invasion, the genocide, the poverty and terror that continues to reign in East Timor because of Indonesia.

The journalists saw in front of their very eyes the brutal repression of a demonstration by a few hundred young persons, who, after the mass, approached the altar and unfurled a banner reading, "FRETILIN hails the Pope". Cameras were forcibly taken away from two of the journalists and the film was removed. Following this demonstration, some 40 of the young people were arrested and tortured, and 3 pupils of the Salesian School at Fatumaca disappeared a month

(Ms. Géraud)

later. Several dozen persons had found sanctuary in the residence of the Bishop. On 4 November there was a demonstration against Monsignor Belo, and a counter-demonstration backing him was violently crushed. On the 15th, the Sao Jose Catholic School was taken over by the military, and at the beginning of December the Indonesian military invaded the Bishop's residence and emerged with about 30 young persons.

Mr. John Monjo, the United States Ambassador in Jakarta, who came to Dili on 17 January 1990 to make inquiries concerning the repression carried out against these young people following the Pope's visit, himself witnessed police brutality. The young people presented their claims to him: freedom and independence, the withdrawal of the Indonesian troops, the presence of an international peace force, the liberation of the political prisoners arrested since 1975, the presence of Portugal as the administering Power. The Ambassador stated that he would report to the United States and the United Nations on what he had seen and heard.

It was after that interview that reprisals were taken against the demonstrators. Two Australian tourists, Groves and McMillan, saw the police charge and the heap of human bodies piled up against the grill outside the hotel. Many persons were wounded, and some persons had to be hospitalized. Many took refuge in the Bishop's garden and house. On 18 January the head of the secret police visited them, apologized to them for what had happened the previous day and said that a mistake had been made by the police and soldiers of the Kodim. He promised that there would be no further harassment and no arrests and that the persons who had been arrested would be freed.

A few days later, at the beginning of February, General Murdani, the Minister of Defence, stated:

(Ms. Géraud)

"If there are new demonstrations against Indonesia during visits of parliamentarians or foreign delegations, the military will answer the demonstrators with the force of arms."

But acts of repression do not take place only during special events. Every day the inhabitants of East Timor must endure the yoke of the Indonesians. An Australian journalist has reported that thousands of Indonesian soldiers have landed in Timor, confirming the FRETILIN press communiqué of 1 May 1990 pointing out that the Indonesian army was preparing a new offensive in East Timor. Indeed, it seems that massacres have taken place in several villages of the South-West districts of Ainaro and Bobonaro, and that a series of massacres have taken place in the village of Lour, to the south-west of Ainaro. Some 100 persons, in groups of approximately 12, including women and children, have been massacred since Easter. These massacres have apparently been carried out by a new battalion known as "Unit 712". Another village, near Oeda, was burned to the ground.

We cannot agree to the sacrifice of the people of East Timor. "Economic and strategic interests cannot serve as reasons for violating the essential rights of a people, no matter how small", commented Monsignor Belo on 15 March 1989.

The people of East Timor must have the right to take a stand on its future and to benefit from the provisions of the Declaration on the Granting of Independence to Colonial Countries and People. The people of East Timor is not alone. Within the international community more and more voices are being raised in support of that people.

Ms. Géraud withdrew.

At the invitation of the Chairman, Mr. William Ripley (East Timor Alert Network) took a place at the petitioners' table.

The CHAIRMAN: I now call on Mr. Ripley.

Mr. RIPLEY: On behalf of the East Timor Alert Network, I wish to express our thanks to the Committee for allowing our organization to be represented at these hearings.

The Indonesian assault on East Timor is genocide supported by industrialized States, all Members of the United Nations. The invasion, subsequent military operations and colonization schemes, indeed the very existence of the aggressor régime itself, are all the direct result of first world sponsorship.

Canada's role, which our network monitors, has been substantial - even pivotal. It has $1.4 billion invested in Indonesia; it contributes tens of millions of dollars yearly in funding and development aid; and it supplies the régime with an arsenal of military equipment. Its involvement, however, is not dissimilar in nature to that of the United States, Japan, Australia, the United Kingdom and others. It serves, therefore, as but one example of the State export of genocide through the process called "development".

The Canadian Government's position on East Timor was recently outlined by the Secretary of State for External Affairs, Joe Clark. As one would expect, he argues its case from a racist premise: "I should point out that there has never been any history of independence or self-government in the territory [of East Timor]". True by definition in colonial discourse, since "history", "independence" and "self-government" exclude recognition of First Nations, except to revel in their obliteration.

The Timorese are also excluded from Clark's discussion of the "dialogue between Portugal and Indonesia on ... issues pertaining to East Timor", talks which, despite Portugal's efforts, "have proceeded at a very slow pace" since 1982, while the rapid pace of East Timor's destruction proceeds unabated. It is apprently inconceivable to Clark that the Timorese should be represented. It is

(Mr. Ripley)

also worthy of note that Clark leaves unmentioned Bishop Belo's courageous letter to the United Nations Secretary-General, as he does the fair and constructive peace proposal by a leader of the Timorese resistance, Xanana Gusmao.

In the next paragraph we are assured that: "In the meantime, Canada is not standing idly by." Here Clark implicitly takes at least partial credit for the "relaxed travel restrictions to East Timor" - Indonesia's latest public relations effort in the international sphere, which has not in the least "relaxed restrictions" imposed on the Timorese. None the less, this development he attributes to talks he had in 1987 with the Indonesian Foreign Minister, where he "raised our concerns about reports of human rights abuses and the generally low standard of living there," but not the right to Timorese self-determination.

The self-congratulation is, of course, irrelevant; what is fundamental is the notion that talks with the aggressor State are legitimate, not legitimating, and that this State would respond in a positive way to "concerns" from an investor State that increases investment and economic aid. Sanctions, of course, are much too indiscreet in the quiet diplomacy of "constructive engagement", even non-existent ones against South Africa leading to "sanction fatigue", as Clark told the world last year.

(Mr. Ripley)

Still, he says,

"I want to state for the record ... that Canada's commercial interests in Indonesia have not caused us to shrink from taking a strong position on human rights. Some Canadian companies do have substantial investments in Indonesia ... None, however, exists in East Timor."

But the fact that Canada has economic interests in Indonesia and not East Timor is precisely the issue. These investments are protected by a police State that provides, through violence and oppression, a cheap, strike-free work force and a population too terrorized by Government death squads and State decrees against "communist remnants" to protest corporate hegemony. It is this "investor's paradise" that the régime is attempting to impose on East Timor.

Furthermore, the assault is waged with Western military equipment. Once again, however, Clark tries to distance the Canadian Government - and himself - from any complicity. He says:

"You should know that I personally review all applications for export of military equipment and restrict sales only to those items which are of a defensive nature and where there is no reasonable risk that the goods might be used against the civilian population. I should also say that, since 1985, I have refused permits for export of ammunition and other offensive matériel to Indonesia",

implicitly conceding that he has reviewed such applications.

Thus, not only does Clark get caught in a lie, he even implicates himself. Jane's Defence Weekly reported in 1986 that Canada Arsenals had been selling small ammunition to Indonesia over several years. According to CP News Report,

"Permits for arms sales worth $2 million were issued to Canadian arms manufacturers for exports specifically to Indonesia."

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Bristol Aerospace, for example, has been exporting CR V-7 air-to-ground rockets to the régime. These rockets are best suited to counter-insurgency operations - the destruction of villages and crops - though this does not present a reasonable risk to Clark that they might be used against the civilian population of East Timor, rockets, it seems, not being offensive matériel.

Last February the Canadian Government announced the sale of 100 Pratt & Whitney engines, which are for Bell 412 military helicopters assembled in Indonesia. P&W is the largest recipient of government grants through the defence industry productivity programme, receiving in 1982-1983, for example, $52.5 million.

Other Canadian arms dealers provide Indonesia with security equipment, ammunition, military vehicles, radar equipment, parachutes, military radios and navigation systems for helicopters and planes. Far from restricting permits to arms dealers, External Affairs went as far as to host an arms show in Jakarta in 1984, which exhibited the wares of 10 Canadian military manufacturers.

Although Canada supports Indonesia directly in the régime's occupation of East Timor, it also contributes collectively with other States through the World Bank and other international consortiums. The World Bank funds Transmigration, Indonesia's colonization scheme, and its population-control programme, the latter in particular having a devastating impact on East Timor. The beneficiaries of this assistance are not the Timorese, nor are they intended to be. By funding Transmigration, the Bank subsidizes first-world engineering firms and building contractors, population control and pharmaceutical companies. In this way, the Bank shares with tobacco companies the dubious distinction of targeting women and the third world to expand corporate markets.

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Clark provides the justification for this funding. But before discussing "Canada's development assistance to Indonesia" - he means East Timor - Clark inserts a paragraph which says much about the racist preconceptions behind such development. His remarks concern West Papua but apply equally to East Timor. He says:

"With respect to the transmigration policy, our post advises us that it is proceeding on a modest scale", -

that is, owing to the slump in oil revenues. Had it not been for this reprieve, one observer predicted a pogrom in West Papua. He continues:

"It should be remembered, however, that West Papua is among the least developed regions of the region. If living standards are to rise, economic growth is required, and the necessary skills and capital may not be indigenous to the area."

In other words, the First Nations of West Papua, which have been thriving in their homelands for thousands of years, are not "developed" - he means like us, or acquiescent in our interests - lacking the "necessary skills" for "economic growth", namely, the destruction of their lands through mining and clear-cutting.

But whether or not it is proceeding on a modest scale, transmigration is a massive invasion, an attempt at consolidating military domination, or, to put it in Canadian terms, driving home the last spike in West Papua and East Timor. We should not be surprised that Clark - like many other Canadians - misses this point entirely.

Development, then, should be viewed with some caution. Roads are built in East Timor for the rapid deployment of troops, and in West Papua to patrol the border. Schools teach the Indonesian State language, as Clark concedes, and also

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teach ideology, local cultures being proscribed; Timorese fear hospitals, after numerous reports of sterilization and the poisoning of children.

With the exception of the International Red Cross, which has very limited access to East Timor, foreign organizations are not allowed into the Territory unless their programmes coincide with the régime's policy of territorial management. Two of the organizations Clark mentions, the United Nations Children's Fund and Catholic Relief Services, have been criticized as fronts for Indonesian programmes in East Timor.

As for Indonesia's population control programme, Clark simply denies its existence, claiming that

"we are not aware of any enforced birth-control programmes in Indonesia, including in East Timor".

As Kiyoko Furusawa of the Free East Timor Japan Coalition reported to this Committee last year, however:

"According to BKKBN, the [Indonesian] Family Planning Co-ordinating Board, in 1987 59.7 per cent of current participants in the birth-control programme used ... contraceptive injection, while in Indonesia an average of 19 per cent of participants used that method. The injection ... is well known for its side effects, such as thrombosis, hepatitis and abnormal menstruation, and possibly it causes cancer." (A/AC.109/PV.1353, p. 24-25)

TAPOL, the Indonesia Human Rights Campaign, reports:

"The side effects of the more recently developed contraceptive implants are even less predictable than those of injectables. Yet it is considered a matter of pride that half of the world's production of implants is absorbed by Indonesia."

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Kiyoko Furusawa goes on to say that women are coerced to take part in the programme, villages often having quotas imposed on them, and that clinics are under the supervision of local military posts. Plainly, this is not family planning, but population control. It is an adjunct to genocide.

The United Nations has waited more than 14 years to take decisive action on Indonesia's occupation of East Timor, a hesitation that has cost over 200,000 lives. In my opinion, there is a structural reason for its complicity: the United Nations is composed of States working to ensure the presumed rights of corporations to maximize profits. Nations, namely, first nations, are excluded from membership, their inalienable rights denied. Yet in spite of this betrayal, the Timorese continue to speak out for their freedom. As Timorese priests have pointed out, however, the right to free speech is not enough. The United Nations must commit itself to ensuring that the Timorese have the right to be heard.

The East Timor Alert Network therefore strongly urges the Committee to call for the immediate withdrawal of Indonesian troops and for recognition of the Timorese right to self-determination. It should also make the following recommendations: that United Nations Member States should cease all military sales to Indonesia; that the World Bank should cancel funding of Transmigration; and, similarly, that the World Bank should cancel funding of Indonesia's population-control programme. Instead, the United Nations should ensure the reproductive rights of Timorese women by providing access to safe and voluntary birth-control methods and information, dispensed by appropriate non-governmental organizations.

The Committee should also recommend that all peace talks on East Timor should include members of the Timorese resistance or of the Timorese exile communities in Australia and Portugal and that their peace plans should be on the agenda of such

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negotiations; that, in the light of the United Nations response to the Iraqi invasion of Kuwait, sanctions against Indonesia are entirely appropriate and should be implemented; and that free access should be allowed to human rights groups of all regions of the Territory, as well as to non-governmental aid organizations that respect the wishes and cultural autonomy of the Timorese.

Mr. Ripley withdrew.

At the invitation of the Chairman, Mr. René Barreau (International League for the Rights and Liberation of Peoples) took a place at the petitioners' table.

The CHAIRMAN: I call on Mr. Barreau.

Mr. BARREAU (International League for the Rights and Liberation of Peoples) (interpretation from French): On behalf of the International League for the Rights and Liberation of Peoples, I want to thank the Committee most sincerely for having agreed to hear us once again on the question of East Timor, a small country whose existence and struggle to preserve its identity are forgotten by the world.

The League has been fighting for a long time for the recognition of peoples as subjects of law proclaimed by many documents and summed up in the Universal Declaration of the Rights of Peoples, adopted at Algiers on 4 July 1976.

The League has, in this spirit and using the framework of its national offices, organized many colloquia and seminars on questions that often appear on the agenda of this Committee.

There is one question on which the League is now focusing and which is now at the centre of the Committee's debate, namely, the question of East Timor. The League is endeavouring to defend the right of the Maubere people to express itself as a people whose country is illegally occupied.

In East Timor two facts have prevailed over the past 15 years: violations of human rights and resistance to the Indonesian presence. To mention only a few recent events, the following - as we heard just a short time ago - are periods when waves of arrests have occurred in East Timor: November 1988, on the occasion of the visit of the Indonesian President; April and June 1989, on the occasion of the visit of certain dignitaries; October and November 1989, on the occasion of the visit of Pope John Paul II; January 1990, on the occasion of a visit to East Timor by the United States Ambassador to Jakarta.

The oppression has now lasted for 15 years, and each wave of arrests follows the same pattern: detentions, torture and mistreatment, occasional deportations, disappearances, killings - methods designed to intimidate the population of East

(Mr. Barreau)

Timor that is suspected of being opposed to the Indonesian presence. In East Timor, Amnesty International notes, "every detainee is in danger of mistreatment".

Arrests are made when foreign dignitaries visit, since that is the only time when the Timorese are able to express openly the feelings they are usually forbidden to express.

Those arrested are often young people, in other words, students. They are arrested even in school by the security forces, whose behaviour too often resembles that of the nazis.

On 23 May in Cairo, the Socialist International once again condemned the daily violations of human rights and the cultural destruction of the identity of the people of Timor.

"We will crush them all; I repeat, we will crush them all." This was the leitmotiv of a statement made on 3 February by General Murdani, the Indonesian Minister of Defence. I shall quote excerpts from a tape of a statement he made a few days after the public apologies expressed by the Indonesian Governor and the Indonesian Commander-in-Chief in East Timor following mistreatment suffered by detainees last January.

> "In the past certain small States tried to make their own way, and the Indonesian Government unhesitatingly took measures to stop them. We have used all our forces to prevent the creation of small States, and this applies to East Timor. ... Do not declare 'I am a Timorese patriot', because there is no such thing as a Timorese patriot. There are only Indonesian patriots. ... It does not matter where these feelings come from, be they from the community, recent high-school graduates or The Church. ... The Government wants to maintain the present situation.

(Mr. Barreau)

"If anyone disagrees with this opinion, he can resign from the Administration and join the struggle in the mountains, a struggle that is lost in advance. ... I have already told you: if you try to organize your own State, if the movement is strong enough, it will be crushed by the ABRI, the Indonesian Armed Forces. The ABRI may fail once, but it will start again and again. ... We will crush them all; I repeat: we will crush them all."

There are a number of key ideas that can be seen in this statement by the Indonesian Minister of Defence. First of all, the Minister acknowledges to the Timorese that it is for political reasons, for the creation of an independent State, that the fighters in the mountains are struggling - a right that is recognized as theirs by many States, while others dare not recognize it yet, a right that Indonesia denies them.

Secondly, the Timorese community - in other words, students, the Church, Timorese officials of the Indonesian administration and even the local authorities convened at that meeting - everyone is suspect of Timorese patriotic feelings. Is this not in itself recognition of broad support of the desire for independence?

Thirdly, this language, different from the usual talk of integration, can be explained by the fact that the Minister was addressing Timorese to whom it was useless to lie and the fact that he did not expect his words to go beyond that circle. However, the tape of that speech is now in the hands of a number of Western Governments and various United Nations bodies. Mr. Mark Baker, who publicized the tape, is now on a blacklist of journalists forbidden to enter Indonesia.

Fourthly, the Indonesian Government holds that integration will solve the problem of decolonization, but the Timorese do not agree, and some Indonesians wonder.

(Mr. Barreau)

Gadjah Mada University of Yodyakarta, one of the best-known Indonesian universities, has just published a 130-page report on the development of East Timor between 1981 and 1989. Together with the Central Bank of Indonesia and the Office of the Plan for the Development of East Timor, it was to organize a seminar on the development of East Timor. But the Minister of Defence banned the seminar on 19 April for "technical reasons".

That 130-page report made the Indonesian authorities unhappy, because it concluded that the population of East Timor is still traumatized by the experience of the 1976 occupation and that the "harsh and authoritarian" policy has yielded few results in so far as development is concerned. The University team stresses on page 4 of the report that "material progress has failed to solve the social, economic and political problems resulting from the integration process, which caused severe human losses".

As for the process of decolonization, the report states on page 7 that "while the Indonesian Government holds that integration has solved the problem of decolonization, the Timorese do not agree".

The report goes on to say that rapid change has caused a "culture shock" among the Timorese, who were suddenly required to learn the language and history of Indonesia, to study the Pancasila and to learn by heart the names of Indonesian heroes alien to their own culture. According to the University's experts, the Government wants the Church to support its projects and remain politically neutral. But the Church cannot close its eyes to the social and political problems resulting from integration.

> "... We are dying as a people and as a nation. ... There is not a more democratic way to ascertain the supreme will of the Timorese people than through a referendum promoted by the United Nations".

(Mr. Barreau)

This outcry, this public appeal, made to the Secretary-General, Mr. Perez de Cuellar, and to the representatives of democratic nations in February 1989 by the principal moral force of the Timorese people, remains fully relevant.

On 25 April, Bishop Ximenes Belo reaffirmed to Mr. Adelino Gomes that:

"... it is the people that decides from the standpoint of law ... the letter written a year ago remains valid; it has not been withdrawn; it remains before the rulers of the world for their consideration ... it remains valid ..."

Monsignor Belo also says:

"As the one responsible for the Catholic Church, and as a citizen of Timor, I ask you ... to initiate in Timor a more normal and democratic process of decolonization that is achieved by means of a referendum. The people of Timor must be consulted about its future through a plebiscite. Up to now, the people have yet to be consulted. Others speak in the people's name. Indonesia declares that the people of Timor have already chosen integration, but the people of Timor have never said so; Portugal wishes that time will take care of this problem. Meanwhile, we are dying as a people and as a nation."

In a more recent letter to the Bishop of Setubal, Bishop Belo goes on to say:

"If the people wants integration with Indonesia, it is up to the people to say so through a plebiscite and not by force of arms, under psychological pressure and fear, as has been the case since 1976 ... If the people chooses to keep its ties with Portugal, then your Government should ... respect that moral and historic bond with this people. If the people chooses self-determination, its right should be recognized. But not allowing the people of Timor to express its will constitutes subtle enslavement, which brings discontent, injustice and slow death."

(Mr. Barreau)

Today, in 1990, on what ground can justify the action of the army of a State, any State, invading a neighbouring country? No argument, be it economic, cultural, political or social, can justify this.

Today, in 1990, why is it that the Charter of the United Nations, which recognizes the right of all peoples the world over to choose their own destiny freely, thoughtfully and with a sense of responsibility, that Charter honoured by most States, East and West alike - why is it that that Charter is not being applied to East Timor?

Mr. Barreau withdrew.

At the invitation of the Chairman, Mr. Alexander George (TAPOL, the Indonesia Human Rights Campaign) took a place at the petitioners' table.

The CHAIRMAN: I now call on Mr. Alexander George.

Mr. GEORGE: As the representative of TAPOL, the Indonesia Human Rights Campaign, I am grateful for this opportunity to petition the Committee about East Timor. Our organization has followed developments in East Timor since the Indonesian invasion in 1975. In the last 15 years much has changed in East Timor, but the basic situation remains the same: East Timor is illegally occupied by Indonesian troops.

I should like to speak about the features of colonial rule in East Timor today.

The style and emphasis of Indonesian colonial rule in East Timor may differ from time to time, but one basic thing never changes: East Timor is an army project. Cosmetic changes like "opening up" and the promotion of tourism have not changed anything for the people. East Timorese refugees who have recently fled their country to seek sanctuary in Portugal and Australia all confirm that East Timor is one great concentration camp for its long-suffering inhabitants.

(Mr. George)

Recent visitors to East Timor have been shocked by the conspicuous and overbearing presence of uniformed men who strut around as if they owned the place. There is a frequent turnover of troops from different parts of Indonesia. Some troops behave with such brutality that even senior officials appointed to run the "provincial" administration have had cause to complain. It is widely known in East Timor that the Governor, Mario Carrascalao, threatened to resign if battalion 328, commanded by Colonel Prabowo, son-in-law of President Suharto, was not withdrawn. Prabowo's troops were responsible for a number of killings and atrocities from late 1988 to October 1989, when Pope John Paul II visited East Timor. Shortly before the visit, Prabowo and his battalion left East Timor.

In February of this year, troop reinforcements arrived in East Timor, the day after Defence Minister General Murdani addressed a meeting of about 400 civilian and military officials at Dili. The General's speech - which was recorded on a tape, a copy of which was later given to Mark Baker of the Sunday Herald, Melbourne - was a crude attempt to intimidate East Timorese officials. It was also meant as a warning to East Timorese parents to stop their children from demonstrating on the streets. TAPOL has transcribed the speech and translated it in full. I shall quote only a few extracts:

"Timtim [East Timor] is part of Indonesia, and the Indonesian Government, whoever the President is, the Government will maintain the situation. So no one should dream about creating a State of Timtim. If anyone wants to talk about a State of Timtim, read first, take a look first at the situation outside Indonesia, and study Indonesian history. From that you will know and be persuaded that the Government has only one resolve, to preserve the

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continuity of the unitary State, not a federal State. A State that stretches from Sabang to Merauke, including East Timor ...

"I have already said, if you try to make your own State and the movement is strong, sufficiently strong, it will be crushed by ABRI - the Indonesian armed forces. ABRI may fail the first time, so it will try a second time, and a third time. But there have been bigger rebellions, there have been greater differences of opinion with the Government than the small number calling themselves FRETILIN, or whoever their sympathizers are here. We will crush them all! I repeat, we will crush them all!"

General Murdani also asserted that young East Timorese who demonstrated at Dili on 17 January, when Mr. John Monjo, the United States Ambassador was in town, were complaining about unemployment and asking the United States Ambassador for jobs. Photographs taken of the demonstrations show this to be false; the demonstrators were calling for independence.

Following the arrival of reinforcements, the army embarked on new military operations which started early in March and appear to have continued until some time in May. These were "mopping-up" operations, in preparation for a visit to East Timor by a Portuguese parliamentary delegation in August or September. It is now certain that the visit will not take place this year, which may explain why the operations were scaled down. The army was also continuing its relentless pursuit of Xanana Gusmao, the undisputed leader of the resistance forces and commander of FALINTIL, the armed resistance. His capture, dead or alive, would be hailed as a great victory by the Indonesian army, but he continues to elude them.

The other dimension of army rule is the "hearts and minds" strategy. Some East Timor-watchers find it difficult to understand how conventional warfare can go hand in hand with a "hearts and minds" policy. Yet this has been characteristic of

(Mr. George)

Indonesia's counter-insurgency strategy since the early 1980s. Each new military commander in East Timor has started off by trying to win over the population. Each new commander has thought up plans to make the Indonesian presence more palatable, only to be confronted by an impenetrable wall of alienation.

After 15 years of illegal occupation, people at urban centres like Dili and Baucau have learned how to function within Indonesian structures and are adopting new forms of civil disobedience. One of the strategic assessments of the Indonesians was that time was on their side, that although the older Timorese were too inflexible and set in their ways to change, younger Timorese would learn to become good Indonesians and forget their own history. This simply has not happened. On the contrary, not only have the Indonesians lost the younger generation; the handful of Timorese who threw in their lot with the Indonesians and accepted positions in the colonial administration are now becoming disenchanted.

(Mr. George)

In December 1989, a year after East Timor was "opened up" - or, to use the official expression, "brought into line with other provinces" - the Indonesians announced that Koopskam Timtim, the special military command structure created for the Territory nearly a decade ago, had been disbanded. Koopskam Timtim, which was in charge of war operations, was answerable to army headquarters at Jakarta, not to the regional military command in Bali. Its establishment was not publicized at the time. To have publicized it would have been proof of a continuing war situation, when Jakarta was claiming that armed resistance was virtually at an end. However, its disbandment was a very public affair, to show that now, at last, things really were back to normal. But Timorese refugees who have recently left the country insist that the command still exists. All that has happened is that its headquarters have shifted from Dili to Baucau. That is borne out by a document smuggled abroad, an instruction from the chief of staff of the Udayana regional military command in Bali to the Commander of Koopskam Timtim, dated 14 February 1990, to investigate the composition of staff and students at Externato Sao Jose at Dili, the only remaining Portuguese-language school. That would suggest that Koopskam Timtim has now been placed within the regional command structure, while the removal of its headquarters to Baucau puts it where the main military base is located anyway, and out of sight of foreign visitors.

The regional commander for the Nusa Tenggara regional military command, which covers East Timor, is Major-General Sintong Panjaitan, a veteran of the invasion of East Timor in 1975. Both he and Colonel Warouw, the military commander of Dili, are Christians, the assumption being that they can more easily win over a recalcitrant population. Muslim missionaries, pendakwah, have also been told to tone down their activities.

(Mr. George)

In May, Major-General Sintong Panjaitan announced that the army would now pursue a "prosperity approach" - the English term was used. He claimed that troop deployment in East Timor was down to six battalions and three engineering detachments, but made no mention of the many militia units and paramilitary troops being deployed. He also said that troops would not wear combat uniforms but would wear everyday green army dress. As one senior officer put it, "In their green uniforms the troops look much less ferocious".

The "prosperity approach" is also called opster - for "territorial operations" - which incorporates the ABRI Masuk Desa (AMD) programme for soldiers to "enter the villages". This concept is based on the Javanese tradition of gotong-royong or mutual help, which expects villagers to tackle community problems together but which is increasingly used to oblige people to work for the local authorities without pay. AMD intensifies the element of compulsion because of the army's high profile. When a unit calls a meeting in a village to discuss the plan of work, villagers are too terrified to stay away. The ideological message is clear: The army wants to foster the impression that it is united with the population. Underlying that approach is the assumption that people from outside have better farming methods than the "backward" Timorese, the kind of message instilled in the Javanese when they were colonial subjects of the Dutch. Thus, for instance, more Balinese farmers have ben brought in to "teach" Timorese how to grow corn and vegetables, while Javanese fishermen have come to "teach" the Timorese how to fish.

But the army's civic mission is answered by civil disobedience, with open acts of defiance occurring in the urban centres. Youngsters have been as resourceful as their Palestinian soulmates of the intifadah. Besides the more spectacular demonstrations that greeted Pope John Paul II last October and the United States Ambassador in January, young Timorese are spreading chaos by stoning cars,

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puncturing tyres, burning down Indonesian markets and pestering the alien intruders with questions such as "When are you going home?". On 17 July, schoolboys and girls at two schools at Dili - not the Portuguese-language school, which has long been regarded as a centre of discontent, but Indonesian-language schools - unfurled the FRETILIN flag and shouted slogans supporting the now postponed visit of Portuguese parliamentarians. The day they chose is proclaimed by Indonesia as "integration day", when the President signed the bill integrating East Timor, in 1976.

This spirit of alienation has been recorded by a team of senior Indonesian sociologists from Yogyakarta's Gadjah Mada University, who undertook research in East Timor earlier this year at the request of Bank Indonesia, the central bank. They produced a report so damaging to Indonesia's image that the seminar at which it had been scheduled to be discussed was cancelled. The researchers spoke of a wave of rejectionism among youngsters in the towns, those still at school and school-leavers who have not found jobs. Many teenagers, they said, have lost all fear of the army. After a recent incident when some youngsters were arrested, they

> "naturally did not escape 'being taught a lesson' by the army: their heads were immersed in water and they were beaten and kicked with army boots. But this did not curb their spirits. They regard such physical torture as a lesser evil than imprisonment of the spirit. ...
>
> "Pressure on schoolchildren by the military means that they are being imprisoned in spirit, with little space to move, and constantly restrained and watched. When these pressures accumulate, it is hardly surprising for them to use 'rejectionist forms' as a way of affirming their presence ... and giving rise to tensions. This can be taken as a barometer of the degree of social unrest in East Timor."

(Mr. George)

Rejectionism is evident from what the team described as people's unwillingness to join in projects launched by the authorities, while they enthusiastically respond to religious projects initiated by the Church. The report goes on to state:

"The Church holds sway over one important resource: the mass of the people. The Government has plenty of funds and resources such as coercive powers, but it does not 'possess' the people".

The researchers found that schoolchildren mistrusted outsiders or newcomers - pendatong as they are called. This has turned children against the schools, with teachers complaining of bad behaviour, children running amok in class and a high level of truancy and physical attacks on teachers. As for Indonesia's insistence that its rule is incomparably better than Portuguese rule, the researchers had this to say:

"The East Timorese do not believe official pronouncements that the Portuguese colonial era was a time of 'darkness' whereas the Indonesian era is one of 'light'."

In the words of the team, the people of East Timor are still suffering the "trauma of war". They argued:

"Whereas the Indonesian Government considers that integration has resolved the matter of decolonization, East Timorese society does not see it in that light."

Among their recommendations is a call "to bring to an end the war situation", an end to the "overdose of army personnel", and a recommendation to end the Government's resettlement programme. The report says that:

"The people in the resettlements should be allowed to return to their original villages, so that they can till their own land and live in accordance with their own customs."

We in TAPOL regard the report by the Gadjah Mada team of sociologists as one of the most searing indictments of Indonesian rule in East Timor to date. The team

(Mr. George)

members are academics who did not set out to make a case against integration. On the contrary, their brief was to help Indonesia's leading financial institution understand why the economy of East Timor is in a state of stagnation. But a month in East Timor, the third in a series of research visits by the same team, led them to produce findings and conclusions that go to the very heart of the East Timor tragedy: the issue of self-determination. We commend this report to the Committee for its careful consideration.

Mr. George withdrew.

At the invitation of the Chairman, Mr. John Taylor (Catholic Institute for International Relations) took a place at the petitioners' table.

The CHAIRMAN: I now call on Mr. Taylor.

Mr. TAYLOR: The members of this Committee have heard described many times the often cruel ways in which subject peoples in East Timor and elsewhere have suffered their loss of liberty. No form of deprivation is more debilitating to a people or causes deeper outrage than the effacement of its own history and experiences and their replacement by a version of events that is a fabrication.

(Mr. Taylor)

Such distortions and manipulations have been experienced by almost all the peoples whose passage from colonization to independence has been observed and supported by the Committee. In each case, to a greater or lesser degree, it has been the powerful and - the occupying Power - that has attempted to wrest the historical record from the hands of subject peoples and rewrite their history in a form that flatters its interests and image, and conceals the illegality, exploitation and violence that has almost always accompanied colonial rule.

In my view, this injustice has been imposed in an extreme form upon the East Timorese people, first by Portugal and now, with grave political and economic consequences, by Indonesia.

As an academic, I lecture and research in development studies in London. I have written on a range of issues and countries in the South-East Asian region. I am also a member of the management committee of the Catholic Institute for International Relations in London, and it is in that capacity that I address the Committee today.

I have followed events in East Timor for more than 16 years, since 1974. Throughout that period, I have kept a documentary record of events in East Timor as they have been reported in the international and Indonesian press. Earlier this year I completed a book, published by the Catholic Institute, entitled a Chronology of the Indonesian Occupation of East Timor, which lists and cross-references events in chronological order. I have also just completed a manuscript on East Timor's contemporary history, based largely upon accounts from East Timorese refugees interviewed in Portugal, Indonesia and Australia. Today, I should like to confine my remarks to the Committee to a few reflections based upon my experiences in writing those books, and in particular in preparing the Chronology, a copy of which I shall give to the Chairman of the Committee as part of my submission.

(Mr. Taylor)

A history based upon press reports has one outstanding virtue: it assembles a record of events that is a reasonably accurate account of what actually happened at the time. Certainly, it is capable of misrepresenting the past, but it cannot reflect political interpretations that were imposed at a later date. Since two incompatible versions of East Timor's recent history have been presented by different parties to the dispute, this makes the exercise of trying to establish an honest historical record both relevant and useful.

The two theories will be familiar to the Committee and to the diplomatic community. One is advanced by the Indonesian Government and affirms, inter alia, that the Indonesian army invaded East Timor in support of and at the request of the East Timorese community, that the people of East Timor opted to join Indonesia in 1976, and that the nationalists who resist Indonesian rule do not command the support of East Timor's people.

The second theory is advanced by the Portuguese Government and, it must be said, by most academics outside Indonesia. That view affirms, on the same issues, that the great majority of East Timorese opposed the invasion, that the population never completed an act of self-determination, still less voted to join Indonesia, and that the survival of the resistance movement is evidence of East Timorese alienation from Indonesian rule.

The point that I wish to emphasize is that, when it comes to determining the political and diplomatic foundations of the dispute and its settlement, everything depends upon which of the two versions of historical events is accepted as true. Did Indonesia lay claim to East Timor before 1975 or not? Did East Timorese volunteers or Indonesian units cross the border from Indonesian Timor to fight FRETILIN forces in 1975? Did East Timorese freely call for incorporation into Indonesia in 1976, or was the vote unrepresentative and forced? Are those who

(Mr. Taylor)

fight against Indonesian forces an abject remnant or do they command widespread support?

In short, who speaks for East Timor's people? Is it Indonesia's diplomatic representative, seated here? Is it the representative of Portugal, itself historically guilty of colonialism towards that people? Is it the leaders of East Timor's political parties in exile, who cannot return in safety to their own country? Or is it others, to whom we cannot give names, who cannot be present here, whose voices are thus effaced from the proceedings of this body and every international body that deliberates on their future?

The first principle of the Charter of the United Nations affirms the sovereignty of peoples and their sovereign right to choose their future. That commitment lies at the heart of the United Nations and is the motive force of this Committee. The case of East Timor must be seen in that context, especially now, when, as many speakers have reminded us, we are entering the International Decade for the Eradication of Colonialism.

It is true that the case of East Timor is one in which there are many interpretations and many ambiguities. But there are also some simple truths. I have come to the conclusion, after examining the numerous reports that went into the Chronology, that while contemporary reports do not support in every respect the political theses of any of the principal parties to the dispute, nevertheless the historical version of events presented by the Indonesian Government is false and cannot be defended when set against the facts. The evidence also shows that East Timor's people have not been consulted in any manner that would fulfil either United Nations or international criteria.

I should like to close by reminding the Committee of the importance of Bishop Carlos Filipe Ximenes Belo's letter of February 1989. Its argument remains

(Mr. Taylor)

as relevant today as when it was written. Indeed, it has been relevant ever since the Indonesian invasion of East Timor.

That letter has been supported by over 250 bishops and by 900 religious organizations internationally. Bishop Belo states that the people must be consulted about what they want. As he subsequently stressed, however, such a consultation does not prejudge the eventual outcome. A result must emerge and can emerge only from a genuine act of free choice exercised by East Timor's people.

For too many years, the history of East Timor's people has been prejudged by other interests and other Powers. For many years, Portugal did so. Today Indonesia does so. That is an injustice and an imposition that is every bit as corrupting and destructive of good government and civilized political conduct as the violations of human rights that have so often been brought to the Committee's attention.

The Charter of the United Nations is surely categorical on this matter. It is the people, the sovereign people alone, who shall decide their future, who shall write their own history. Which version of East Timor's history is to prevail? That decision will determine how the United Nations conducts its mandate and whether the security and dignity of East Timor's people will be given true consideration by the international community.

Mr. Taylor withdrew.

At the invitation of the Chairman, Bishop Paul Moore, Jr. (Fund for Free Expression) took a place at the petitioners' table.

The CHAIRMAN: I call on Bishop Moore.

Bishop MOORE: Before reading my text, I want to say, as others have, how ironic it is that this very morning the world is almost united against the invasion of Kuwait by Iraq but that the subject we address is almost identical in its principle in invasion, and very few people have spoken against it.

(Bishop Moore)

Last December, my wife Brenda and I visited East Timor under the auspices of Asia Watch, a human rights committee located in New York. We wished to show our support for those who are struggling for their rights there and to gather as much first-hand information as possible.

Because a good deal of debate before the Special Committee on decolonization has been devoted to the issue of what is or is not currently happening in East Timor, I believe that the results of our visit will be of small interest to the Chairman and members of the Special Committee. Even though our visit took place last December, all indications are - and certainly other speakers have verified this - that the current situation approximates what we witnessed and is, if anything, deteriorating.

(Bishop Moore)

When we arrived in East Timor and checked into the Hotel Tourismo in Dili, we immediately sensed the presence of security forces. A prominent official from Jakarta - we were told he was the head of the Indonesian Intelligence Service - occupied an adjoining room. Four or five security people accompanied him.

Later during our visit General Murdani came to the hotel with his delegation and displaced us from our room. During our visit we were told that many of the people with whom we met or even those with whom we had a casual exchange were interrogated about our conversations. Apparently, the tapping of telephones is so blatant that in several instances, we were told, the monitor requested the callers not to speak in Portuguese because the monitor only spoke Indonesian - in other words, they were asked to speak in the language understood by the "tapper". All mail to and from the island is censored.

Under such conditions, where the basic right of free expression is so sadly lacking, it seems evident that Indonesian authorities have many things they would like to conceal in East Timor.

From what we were able to see, the military presence after 15 years is still oppressive. In Dili soldiers roam the streets in uniform, carrying loaded weapons, bayonets attached. When we tried to drive up the coast to Baucau, we had a difficult time finding anyone who dared drive us. As if by magic, no drive-it-yourself cars were available for hire in any of the agencies we checked with. We finally found a driver, but en route we were stopped and questioned by military police six separate times. Truckloads of soldiers in combat gear passed us on the road. We observed many military vehicles, including tanks, permanent barracks, a military airstrip and many other signs of permanent installations. We were told by reliable sources that there are at least 24,000 Indonesian troops in East Timor.

(Bishop Moore)

Apparently the troops harass poor people in rural areas of East Timor, forcing villagers to leave their land - which the military or those acting on their behalf then lay claim to and farm for profit. We were told - and this has been repeated here - of a military raid on a school of small children, allegedly looking for the leaders of the pro-independence demonstration at the time of the Pope's visit. Apparently the soldiers fired off their weapons in this school with many tiny children and terrified them. We were also told that many false arrests were made after the demonstration during the Pope's visit. The boys - for that is what they were - said they were tortured when they were arrested to make them admit to subversive behaviour. At the time of our visit, 12 youths were still being held without trial. As I understand it, all but two are now free. However, when we met with Bishop Belo, we found more than a dozen boys taking refuge in his residence, for fear of arrest. Reliable information that has become available since our visit to East Timor last December indicates strongly that there have been new detentions and the torture of prisoners continue. There have also been recent reports of executions and other killings by the military; these have been described by other speakers here.

From our talks it was evident that the role of the church is crucial. We called on Bishop Belo upon our arrival. Since we could not notify him of our visit ahead of time, he was suspicious and unwilling to talk at first. After a while he opened up and began to tell us of his predicament. On the one hand, he did not want to endanger his people nor to elicit sanctions against church institutions on the island by the Indonesian military. On the other hand, he is one of the very few persons who dares to speak out. He is still being harassed because of his well-known appeal to the United Nations last year. Bishop Belo and many of the other church leaders we spoke to feel that the people of East Timor are threatened

(Bishop Moore)

with cultural genocide. The Bishop feels it is essential to keep hope alive - even though it seems to many a forlorn hope - especially for the younger generation, by insisting on the right of the East Timorese to have a referendum to decide the form of government they would like to have. In other words, the Bishop told us that the outside world should insist on one of the principles that has guided the United Nations since its foundation - namely, the right to self-determination. I might say in passing that I worry about Bishop Belo. He seems very beleaguered. I think that he even feels that his life is in danger.

Asia Watch, under whose auspices we travelled to East Timor, does not take a position on the territorial status of East Timor. However, I affirm - although it is not for me to say what form that government should take - that any momentum that can be generated towards a situation in which the East Timorese can peacefully decide their own future is in order.

However, in the meantime, I feel strongly that every effort should be made to educate the able young East Timorese in skills which they can use as the country is developed in the future, because it is inevitable - whatever the political situation - that development will occur. As development proceeds, it is essential that East Timorese youth qualify for the skilled jobs that become available; otherwise, once more the East Timorese will be exploited by people from outside the island and development will not in any way assist them. Therefore, higher education is enormously important.

We left East Timor with many conflicting feelings. First of all we were deeply touched by the suffering of these warm-hearted people and their sense of despair. And we admired the courage with which they face a seemingly bleak future. In East Timor we heard from the Bishop and other people that hope for independence is the only thing that keeps the Timorese people alive in spirit after

(Bishop Moore)

the huge loss of life and terrible tragedy they have known. It is our strong hope that the United Nations Special Committee on decolonization - this Committee - and other United Nations agencies will redouble their efforts to address both the humanitarian needs of the people of East Timor and the internationally recognized right of that people to speak out for its self-determination.

In closing, I should like to draw the Committee's attention to some encouraging developments in the United States Congress regarding East Timor. For many years - and once again in 1990 - members of the United States Congress have been consistently voicing concern over the suffering in East Timor, and the need for an equitable solution to the conflict, in addition to timely measures in the humanitarian and human-rights fields. Just a month or so ago I had some time with Senator Pell, Chairman of the Foreign Relations Committee of the Senate, and Congressman Tony Hall, a leader in the House, and they are very concerned and continue to push in that direction. The United Nations Special Committee on decolonization and others concerned should be assured that such activities in our Congress are growing in strength and importance. That is but one sign that the tragedy of East Timor continues to generate international sympathy and attention.

Bishop Moore withdrew.

At the invitation of the Chairman, Mr. Geoffrey Robinson (Amnesty International) took a place at the petitioners' table.

The CHAIRMAN: I call on Mr. Robinson.

Mr. ROBINSON: I thank the Committee for the opportunity of addressing it and presenting to it Amnesty International's concerns about human rights in East Timor.

(Mr. Robinson)

Amnesty International does not take a position on the question of East Timor's political status. As in past years, we are presenting our concerns here because we believe that the discussion of the political future of East Timor should be informed by an understanding of the human rights situation in the Territory.

(Mr. Robinson)

In its statement to the Committee last year, Amnesty International welcomed the opening of East Timor to tourism and commerce in January 1989 but cautioned that this would not necessarily mean an end to human rights violations in the Territory. Over the past two years Amnesty International has documented the emergence of a pattern of short-term detention, ill-treatment and torture of alleged political opponents of Indonesian rule. We have continued to receive credible reports of extrajudicial executions, disappearances and the systematic use of torture against political detainees. We remain concerned about hundreds of unresolved cases of disappearance and the continued imprisonment of at least 11 alleged supporters of FRETILIN sentenced in trials which Amnesty International believes were not fair. Lastly, in spite of repeated requests to the Indonesian authorities, Amnesty Inernational has not yet been able to visit East Timor.

Some foreign visitors have been able to travel with relative freedom in certain parts of the Territory, and this has been a welcome change. Yet very serious limitations on the accurate reporting of human rights violations remain. First, many violations are by definition invisible; incommunicado detention, torture, ill-treatment, and disappearance may not be readily detected or easily documented either by casual tourists or by visiting foreign dignitaries. Secondly, postal and telephone communications continue to be monitored, and most foreign visitors, tourists included, are subjected to surveillance by military intelligence. Thirdly, and perhaps most important, no mechanism yet exists within East Timor for the systematic reporting of human rights violations. There is a pervasive fear that those who report such violations will themselves become victims. In the view of Amnesty International, there are good grounds to believe that this fear is justified.

(Mr. Robinson)

In its statement to the Committee last year, Amnesty International said that it had learned the names of some 200 people who had been detained in a series of mass arrests between October 1988 and July 1989 and dozens of whom had reportedly been tortured or ill-treated in police or military custody. This pattern of short-term detention, torture and ill-treatment has continued in the past year. Dozens of suspected opponents of the Government and advocates of human rights, many of them young people and students, have been detained for their alleged participation in a series of apparently peaceful pro-independence demonstrations which began in October 1989 during the visit of the Pope.

In Amnesty International's view, the pattern observed has all the hallmarks of a systematic strategy to silence real or suspected political opponents of the Government and to obtain political intelligence through coercion and intimidation. Suspects are typically held incommunicado in police or military detention centres or unofficial safe houses for periods ranging between a few hours and several weeks and subjected to physical and psychological abuse before being released without charge. It is in these unofficial detention centres, which are not seen by visiting foreign journalists or parliamentary delegations, that detainees are most likely to be subjected to torture or ill-treatment.

An estimated 20 East Timorese, most of them students, were detained for their alleged part in a pro-independence demonstration during the Pope's visit in October 1989. Most were reportedly held briefly in an unofficial detention centre in the Vila Verde quarter of Dili, where they were said to have been beaten, given electric shocks and deprived of food. A few days later Bishop Belo reportedly confirmed the allegations that security forces had used torture. Although Indonesian officials initially denied that any arrests had been made, Amnesty International confirmed that at least three detainees remained in custody at the end of October, three weeks after they had been detained.

(Mr. Robinson)

Several people were seriously injured on 17 January 1990, when Indonesian security forces dispersed a peaceful pro-independence demonstration at the Hotel Turismo at Dili. Dozens were said to have been detained after further demonstrations on 18 and 19 January. The dispersal came after demonstrators had spoken for about an hour with visiting United States Ambassador John Monjo, appealing for his Government's intervention on behalf of East Timor's independence and for the protection of human rights there. On hearing that the actions of the security forces had resulted in injuries, a United States Embassy spokesperson said:

"We sincerely regret this ... In view of the peaceful nature of the demonstration, the Ambassador [had] asked that no one be arrested or detained."

Once again, the Indonesian Government denied that there had been arrests, but Amnesty International learned that at least five of those detained after the January demonstrations remained in custody in February 1990. One of them, Donaciano da Costa Gomes, claimed to have been ill-treated in custody and reported that other detainees had been tortured with electric shocks, immersed for long periods in fetid water, kicked and punched, slashed with knives and hung from the ceiling. Between January and March of this year the International Committee of the Red Cross is reported to have visited 54 political detainees in five different detention centres in East Timor. A number of these were undoubtedly people arrested in connection with the demonstrations of October 1989 to January 1990.

Amnesty International has evidence which directly contradicts the assertion by Indonesian governmental and military authorities that they have not arrested demonstrators over the past year. It may be true that, strictly speaking, most of those detained by the security forces have not been formally arrested and appear not to have been charged with a recognizable criminal offence, but they have been held in arbitrary, unacknowledged detention. The explanation provided by the

(Mr. Robinson)

authorities, to the effect that certain people reported to have been detained had only been "asked for information", obscures the essential issue. Whatever the terminology used, those held for interrogation in gaols and detention centres are prisoners, and Amnesty International believes that many of them may be or have been prisoners of conscience. Their imprisonment, however brief, and their torture or ill-treatment are matters giving rise to serious concern.

The torture and ill-treatment of alleged political opponents held in military detention centres has been a consistent feature of Indonesian rule in East Timor. The testimony of recently released political prisoners, arrested between 1977 and 1983, provides fresh evidence of the systematic use of torture in extracting information from persons in military custody. Eduardo da Costa, who was taken to Bali for interrogation in 1983, testified that he and other detainees were stripped naked for interrogation; men were beaten across the back with an iron pipe and received electric shocks to their genitals. Eduardo da Costa said that he was tortured again at the District Military Command at Dili before being tried and sentenced to seven years in gaol in 1984.

Amnesty International continues to receive numerous reports of the ill-treatment and torture of suspected rebel sympathizers in the countryside. According to one report, five men from the villages of Eukissi and Ili Lai in Lospalos district were beaten publicly by members of the 511th Battalion at about midnight on 12 April 1990. An eyewitness said that the men - Tito dos Santos, Bou Reci and Rui, Jaime and Ano Dai - were kicked and beaten on the head, chest and genitals. The incident was reported to both military and civilian authorities at the village and the district level, but Amnesty International is not aware that any disciplinary action has been taken against the perpetrators.

(Mr. Robinson)

In previous statements to the Committee Amnesty International has expressed serious doubts about the fairness of political trials in East Timor. Although the Indonesian Government has not allowed qualified international observers to attend such trials, Amnesty International has heard the testimony of recently released political prisoners, tried in 1984, and has obtained trial documents which substantially confirm the conclusion that, by international standards, those trials were not fair. The evidence suggests that political trials in East Timor are deficient in some or all of the following respects: testimony of both defendants and witnesses are often extracted under duress, sometimes under torture; prosecution witnesses is seldom cross-examined, and there are few, if any, witnesses for the defence; trials are conducted in a language which is not always well understood by the defendants or the witnesses; the possibility of appeal provided for in the code of criminal procedure is not actively pursued by State-appointed defence lawyers.

(Mr. Robinson)

Amnesty International welcomes the release over the last year of at least 14 long-term political prisoners from East Timor who had been sentenced in trials which International Amnesty believes were unfair. According to our information, those prisoners had served all but a few months of their sentences. With their release, Amnesty International believes that 11 East Timorese tried and convicted on charges of supporting FRETILIN now remain in detention, serving sentences of between four and 17 years.

Amnesty International remains concerned at reports that people detained by Indonesian security forces in East Timor have subsequently "disappeared". We fear that many of the hundreds reported to have disappeared since December 1975 may have been killed. Of those more recently reported as "disappeared", many have been found to have been in unacknowledged military or police detention.

Last year before this Committee, Amnesty International reported the possible "disappearance" of four East Timorese and noted that they were probably in police or military custody. We have since confirmed that at least three of those four - Manuel Fatima Guterres, Elias Pereira Moniz and Herminio da Silva da Costa - were indeed in military custody. The same may be true of several people reported to have disappeared over the past year. Domingos Mario Neto Mok was reportedly arrested by members of the military on 29 July 1989 and taken to an army post in Ossu. As of October 1989, his whereabouts were unknown, and Amnesty International has received no further information since that date. We are concerned for the safety of those people, and request clarification as a matter of urgency from the Government about the whereabouts of all people last seen in military or police custody.

Amnesty International notes the continuing efforts made by the Indonesian Government to investigate cases of disappearance that have taken place in East Timor over the last 14 years. It is concerned, however, over the slow pace of such

(Mr. Robinson)

investigations and over indications that some of the information provided by the Indonesian Government may be incorrect. According to its January 1990 report, the United Nations Working Group on Enforced and Involuntary Disappearances considered only six cases to have been clarified by governmental information provided in late 1988 and possibly one more case on the basis of information provided in 1989.

The Government provided information on three cases in 1989, but in two of them - the "disappearances" of Maria Gorete Joaquim in 1979 and of Venanciano Gomes in 1980 - the Government's information was at variance with information provided by unofficial sources. In a letter dated 10 July 1989, the Indonesian Government said that Maria Gorete Joaquim was alive and residing at Dili. However, according to her relatives, she was shot by security forces in a churchyard in the town of Quelicai near Baucau in May 1979 shortly after she "disappeared". The Indonesian Government said in the same communication that Venanciano Gomes, who "disappeared" in June 1980, had died in an exchange of gunfire between security forces and FRETILIN guerrillas. Relatives and witnesses, however, have said that he was arrested in June 1980 and tortured in military custody. In the same month, witnesses saw him taken by military helicopter to Remexiu, where he was reportedly found killed with a knife.

At least 20 people and possibly many more were reportedly killed by Indonesian security forces in 1989 and early 1990 in apparent extrajudicial executions. Most of the victims of extrajudicial executions have been villagers living in areas of suspected rebel activity. In some instances, victims appear to have been tortured or ill-treated before being killed. Reports of extrajudicial executions in East Timor have always been difficult to verify, but Amnesty International believes that the available evidence of the extrajudicial execution of suspected opponents of the Government is strong.

(Mr. Robinson)

In late March 1990, four men from Lalerek-Mutin were reportedly tortured, and one of them killed, by security forces. Candido Amaral, a father of five, was arrested on 28 March and tortured by members of the security forces while being questioned about his alleged links to FRETILIN. He was reportedly kicked, punched and thrown to the ground until he became unconscious. When he was revived and still refused to confess, his captors reportedly burned his genitals with cigarettes. At dawn on 29 March, Candido Amaral was taken to Tua-Metan and executed by firing squad. Amnesty International understands that disciplinary action has been taken against the alleged perpetrators of the torture and killing of Candido Amaral and is seeking further information on the exact nature of the punishment.

Amnesty International believes that there is a demonstrable pattern of short-term detention, torture and ill-treatment in East Timor which may serve, or be intended, to intimidate real or suspected political opponents of the Government, including non-violent opponents. It believes that many of those detained, albeit briefly, for their alleged part in peaceful demonstrations since October 1989 may have been, or continue to be, prisoners of conscience. It urges the Indonesian authorities to release promptly anyone held solely for his non-violent political activities or beliefs. It fears that, in view of the consistent and recurring pattern of ill-treatment of political detainees in East Timor, those still in detention and those arrested under similar circumstances in the near future may be in serious danger of torture or ill-treatment.

Amnesty International believes that in accorance with international human rights standards and in the interest of safeguarding against future violations, the Indonesian Government has an obligation to investigate these and other allegations of serious human rights violations in East Timor, including extrajudicial executions, "disappearances" and torture committed by members of the security

(Mr. Robinson)

forces. Amnesty International urges the Government to identify and bring to justice members of the security forces responsible for such violations. We ask that in the interest of demonstrating the fairness of future political trials in East Timor, they should be made accessible to international observers. At a minimum, we would hope that documents from political trials will be made available to Amnesty International and other international organizations that may request them. We also urge the Indonesian Government to disclose the names and the places of detention of all people detained with or without charge in the name of security over the last two years and to release or bring to a fair trial any persons accused of political offences.

In closing, it must be stated that in spite of repeated requests to the Indonesian authorities, Amnesty International has not yet been able to visit East Timor. This has not been for want of trying. In March 1989, after positive discussions with Government representatives, we submitted to the Government of Indonesia a proposal for an official visit to East Timor and Indonesia some time later in 1989. Thus far, we have received no reply to that letter. When we have reiterated our request, we have been told simply that the proposal is under consideration. We would urge the Government to demonstrate its commitment to the protection and promotion of human rights in East Timor by permitting international human rights organizations, including Amnesty International, to visit East Timor in an official capacity and on a regular basis in order to monitor the human rights situation there.

Mr. Robinson withdrew.

At the invitation of the Chairman, Mr. Hasjrul Junaid (Komitee Indonesie) took a place at the petitioners' table.

The CHAIRMAN: I call on Mr. Hasjrul Junaid.

Mr. JUNAID: I represent three Dutch-based non-governmental organizations: the Indonesia Committee, the East Timor Working Group and the X Minus Y Movement. We have been following the tragic history of East Timor since the Indonesian invasion of 1975 and want to use this opportunity to submit this statement to the Committee. We want to thank the Committee for granting us the opportunity to submit this statement.

(Mr. Junaid)

As an Indonesian citizen, I have a logical reason for a special interest and concern regarding East Timor. Sadly, I have to state the facts: my country, Indonesia, once a powerful anti-colonial force, has been transformed into a colonizing Power. The invasion of East Timor in 1975 by the Indonesian armed forces is indeed a dark chapter in Indonesian history, and I feel it is my duty to speak up against the policies of my Government and denounce the act of aggression perpetrated by the Indonesian army on a small independent neighbouring country called East Timor. Indonesia in 1955 hosted the first Afro-Asian Conference, and that event has gone down in history as a profound expression of anti-colonialism and a shining example for many African colonies to break their shackles of colonialism. East Timor is one of the few regions left in the world that have yet to be decolonized, and this process of decolonization was brutally interrupted by the invasion in 1975.

Since the invasion, the Government in Jakarta has viciously imposed colonial rule on East Timor. Indonesian rule in East Timor carries all the features of colonial rule, but on top of that, East Timor has always been a special project for ABRI, the Indonesian Armed Forces. The present leadership of the Indonesian army have all served in East Timor, and in fact serving in East Timor has become paramount for the further career of an Indonesian army officer. The same army that was born in the struggle against Dutch colonialism is now suppressing the wish for freedom of the people of East Timor.

East Timor has been declared Indonesia's twenty-seventh province, but in reality it is the ABRI, the armed forces, that rule over East Timor. The presence of Indonesian military in the region is overwhelming. Although the official figures state that only six battalions are permanently based in East Timor, in reality all the regional military commands in Indonesia are obliged to dispatch

(Mr. Junaid)

units to East Timor. Moreover, special troops, like the notorious red-beret paracommandos, have permanent barracks in East Timor. The co-ordination of these semi-permanent troops is regulated by KOOPSKAM, a special military command directly under the authority of headquarters at Jakarta. Despite earlier allegations of the disbandment of KOOPSKAM, that military command is still in existence.

At the beginning of last year, the Indonesian Government decided to take a risk by "opening up" the area. Previously, East Timor was a closed area; one needed special permits to enter the area, and travelling inside East Timor was virtually impossible. Indonesia was forced to open up East Timor, not least because of the many criticisms abroad to the effect that Indonesia had something to hide in East Timor.

After 18 months of "opening up", the balance does not look very good for Indonesia. More visitors and travellers have been allowed in, and the majority of the reports reveal the same story: widespread fear among the people of East Timor. The Indonesian military are involved in a wide variety of activities from general security, social and construction work, in the civil service and even in commercial activities.

The purpose of the "opening up" of East Timor was to create the image that the situation in East Timor has become normal. Obviously, the strategy of "opening up" has not been a resounding success for the Indonesian authorities. The leeway created by the "opening up" has skilfully been used by Timorese youth to show their will for liberty.

The visit of the Pope at the end of last year and that of the United States Ambassador at the beginning of this year have only shown the outside world the extreme conditions prevailing in East Timor today. Opening East Timor to outsiders has always been a double-edged weapon. While the Indonesian diplomats abroad

(Mr. Junaid)

welcomed the "opening up", Indonesian security officers, police and military alike, have warned about the grave consequences for Indonesian rule.

Since the early 1980s the Indonesian army commmand has also developed a "hearts and minds" strategy, very similar to pacification techniques applied in many parts of the world. Military personnel were assigned to supervise the population in road and bridge construction, functioning as school teachers, assisting peasants in farming techniques, and so forth.

At first glance, these activities look worthy and innocent, but in East Timor their effects are devastating. The people of East Timor lost approximately one third of their population in the war against Indonesia. The entire population of East Timor has been uprooted and has had to abandon its original villages. These same people, the Indonesian military, are now entering the villages, the neighbourhoods and the local communities, introducing the "superior Indonesian life-style".

It is obvious that this kind of "hearts and minds" policy is bound to fail. This overdose of military presence is felt as a threat by the population and has only deepened the feelings of animosity. The Indonesian initiatives are seen by the Timorese as plans that are dropped in their midst, a typical top-to-bottom approach.

The previous military commander of East Timor, for example, introduced his hobby, the developing of fish ponds, on a large scale in the new Timorese resettlement camps. Fishermen from Muncar, on the south coast of Java, were transmigrated to East Timor to teach the locals how to develop advanced fishing techniques. Balinese farmers were sent to East Timor to develop terraced wet rice fields, a technique alien to many East Timorese. All these examples have been implemented in East Timor with the same simple message: "we have to develop the backward Timorese".

(Mr. Junaid)

This kind of attitude must be familiar to anybody who has dealt with colonial attitudes. Once again, I have to state how ashamed I am to be a citizen of a nation which at present is oppressing the aspirations of a neighbouring country.

Colonialism is a dying phenomenon. We have all just celebrated the independence of Namibia, which the Committee has done much to bring about. It is to be hoped that the process of decolonization of East Timor will take its proper course and give the people of East Timor its rightful place among the nations of the world.

Seventeen July is a day of sorrow for the East Timorese. It is the day when General Suharto, the President of my country, declared East Timor to be officially integrated into Indonesia. Three weeks ago, on this particular day, pupils in two senior high schools in the capital, Dili, in an act of defiance, hoisted the FRETILIN flag - the flag of the liberation movement. The military stepped in, and several youngsters were arrested, but this incident of flag-hoisting is just one of many acts of civil disobedience, which are still increasing. East Timorese youth - the majority born and raised under Indonesian rule - have shown their defiance towards colonial rule. A team of Indonesian researchers from Gajah Mada University has noted a shift from military rebellion towards civil disobedience and a negative attitude among school pupils and young people working in the bureaucracy. The Indonesian colonial rulers now have to face two types of resistance, the armed resistance in the countryside and the ever-growing acts of defiance in the cities.

(Mr. Junaid)

The shift of the resistance to the cities is shown best by General Benny Murdani, the architect of the 1975 invasion and at present Minister of Defence. In his speech on 3 February 1990 at Dili, he gave several strong warnings to rebellious youths in the city and to their parents. It seems that Timorese youths have lost their fear and have become increasingly inventive in their acts of defiance. For the past two months, for example, Indonesians in East Timor - military, police, civil servants or businessmen - have been approached by East Timorese youngsters. It happens everywhere: in the market-place, in the office, in the streets, at the airport or the harbour. The same question is always raised: "When are you going home?". That nagging question, over and over again, really gets on the nerves of Indonesians. It can be stated that the Indonesian rulers have lost the battle for the hearts and minds of youth. Ten years ago, the Indonesian rulers decided to abandon the idea of integrating the older generation of East Timorese to become "model Indonesians" and to concentrate their efforts on the younger generation. The logic was that if young people were educated in the Indonesian school system, they would automatically be transformed into Indonesians. As history has taught, that kind of logic does not reflect reality. The reality is that the East Timorese live under a colonial system and will develop resistance against that oppressive system.

For years, the Indonesian people has been deceived by its own Government. We were misinformed about the situation in East Timor. The war in East Timor was a war hidden from the Indonesian people. Only occasionally does one hear about the casualties among Indonesian soldiers and the fierce resistance of the Timorese. Gradually we are seeing a change in Indonesia. More information is available, and the democratic movement in Indonesia is increasingly focusing its concerns regarding East Timor. For the first time, the East Timor issue has become a matter

(Mr. Junaid)

of concern among student activists. Ammarsyah, one of the Bandung students who were on trial earlier this year, accused his Government of atrocities and mass murder in East Timor. In his almost 300-page defence plea, Ammarsyah reiterated that

"This régime has given us a grim history and has sullied the face of our people in the eyes of the international community."

Democracy cannot be established in Indonesia so long as the East Timor issue remains unresolved. Indonesia can never be free if it still keeps East Timor in its colonial shackles. That conviction is swiftly growing among young people, students and human rights workers in Indonesia and will ultimately contribute to a just solution of the question of East Timor.

In the Netherlands, the East Timor issue has been a constant matter of concern among human rights organizations, trade unions, church organizations and political parties. The organizations I represent have launched various initiatives regarding East Timor. At present we are collecting signatures on a broad-based petition to be handed to the Netherlands Parliament later this year. Thousands of signatures have so far been gathered from the Netherlands. That can be seen as a clear sign of interest and concern about this matter.

The world today is quite different from what it was a year ago. Many rapid changes have occurred. Global peace has become a viable enterprise, and the prospects for solving regional conflicts look very bright indeed. From a bipolar globe, we are entering the phase of a multipolar globe. This brings about a new shift in relations among nations. Regional super-Powers can emerge as a threat to neighbouring States. The recent example of the Iraqi invasion of Kuwait can be compared with the Indonesian invasion of East Timor 15 years ago. I sincerely hope that the international community will exert its utmost efforts and pressure to

(Mr. Junaid)

defend the rights of smaller nations. The right of self-determination is an inalienable right and should be fully implemented in the case of East Timor.

Mr. Junaid withdrew.

The meeting rose at 1.05 p.m.